

## REMARKS/ARGUMENTS

This application has been carefully reviewed in light of the Office Action dated September 14, 2007. Claims 1-18 are currently pending in the present application, with claims 1, 8-10, and 17-18 being independent claims. Claims 1, 8-10, and 17-18 have been amended. No new matter is believed to have been introduced to the application by this amendment. Reconsideration and further examination are respectfully requested.

### *Claim Rejections – 35 USC § 103*

Claims 1, 2, 5, 6, 8-11, 14, and 15 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,757,537 (“Choi”) in view of U.S. Patent No. 6,608,828 (“Balachandran”). Claims 3, 4, 12, and 13 were rejected under 35 USC § 103(a) as being unpatentable over Choi and Balachandran, further in view of U.S. Patent No. 6,389,034 (“Guo”). Claims 7 and 16-18 were rejected under 35 USC § 103(a) as being unpatentable over Choi and Balachandran, further in view of U.S. Patent No. 6,643,272 (“Moon”).

With reference to the particular claim language, amended independent claim 1 is directed to a method for improving the performance of a decoder. The method includes determining an energy value for a transmission from a first station to a second station, the decoder residing in the second station, forming a message carrying the energy value, and transmitting the message to the second station. The energy value is based on a traffic energy to a pilot energy ratio and aids the decoder to decode the transmission.

The remaining independent claims, claims 8-10 and 17-18, also include, among other features, the feature of an “energy value [that] is based on a traffic energy to a pilot energy ratio.”

The applied references are not understood to disclose or suggest the features of the claimed invention, particularly with respect to at least the features of an “energy value . . . based on a traffic energy to a pilot energy ratio,” as recited in amended independent claims 1, 8-10, and 17-18.

Turning to the applied references, Choi is seen to be generally directed to a power control device and method. *See* Choi, Abstract. Specifically, Choi discloses “calculating a power control parameter value according to [a] call type.” Choi, col.12 ll.61-62. Nowhere, however, is Choi understood to disclose or suggest an “energy value . . . based on a traffic energy to a pilot energy ratio,” as recited in amended independent claims 1, 8-10, and 17-18.

Balachandaran is seen to be generally directed to decoding headers that are repeatedly transmitted and received on a radio channel. *See* Balachandaran, Abstract. Specifically,

Balachandaran discloses a header decoded to identify values for header fields, such as a power reduction field. Balachandaran, Abstract, and col. 4 ll.25-26. Nowhere, however, is Choi understood to disclose or suggest an “energy value . . . based on a traffic energy to a pilot energy ratio,” as recited in amended independent claims 1, 8-10, and 17-18.

Moon and Guo are not understood to disclose or suggest anything to remedy the foregoing deficiencies of Choi and Balachandaran. Moon was cited for allegedly teaching a transmitter adapted to transmit power control messages in a forward link channel to a remote station, a base station that transmits a power control bit to a mobile station, and a mobile station that transmits a power control bit to a base station. Office Action, pages 7 and 9. Guo was cited against dependent claims 3, 4, 12, and 13. However, neither Moon nor Guo are understood to disclose or suggest at least the features of an “energy value . . . based on a traffic energy to a pilot energy ratio,” as recited in amended independent claims 1, 8-10, and 17-18.

Accordingly, none of the applied references are understood to disclose or suggest the features of independent claims 1, 8-10, and 17-18, which are believed to be in condition for allowance.

The other claims in the application are dependent from the independent claims discussed above and therefore are believed to be allowable over the applied reference for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, the individual consideration of each on its own merits is respectfully requested.

Application No. 10/719,806  
Amendment dated 11/13/2007  
Reply to Office Action of September 14, 2007

### **CONCLUSION**

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated November 13, 2007

:

\_\_\_\_\_

By: /Peng Zhu/

\_\_\_\_\_  
Peng Zhu, Reg. No. 48,063  
858-658-2389

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 658-5787  
Facsimile: (858) 658-2502